

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK**

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**AMANDA PERRY,**

**Plaintiff,**

**18-CV-566V(Sr)**

**v.**

**ORDER**

**JTM CAPITAL MANAGEMENT, LLC,**

**Defendant.**

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This case was referred to the undersigned by the Hon. Lawrence J. Vilardo, pursuant to 28 U.S.C. § 636(b)(1)(A), for pretrial proceedings, including the entry of a Case Management Order.

Within twenty-one (21) days of the entry of this Order, attorneys for the parties shall meet [if a party is unrepresented, the actual party will be directed to meet] and comply with Rules 26(a)(1) and 26(f) of the Federal Rules of Civil Procedure. Within fourteen (14) days of this meeting, the parties shall submit a proposed Case Management Order to the chambers of the undersigned in accordance with Rule 26(f). The enclosed proposed order shall be considered when formulating said plan but shall not be a substitute for full compliance with Rule 26(f).

Attorneys for the parties [if a party is unrepresented, the actual party] shall also confer about Alternative Dispute Resolution (“ADR”), as part of their discussion of “the possibilities for a prompt settlement or resolution of the case” pursuant to Rule 26(f). Unless the parties agree to a different intervention, it is presumed that they will participate in mediation as set forth in the Plan for Alternative Dispute Resolution.<sup>1</sup>

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<sup>1</sup> A copy of the ADR Plan, a list of ADR Neutrals, and related forms and documents can be found at <http://www.nywd.uscourts.gov> or obtained from the Clerk’s Office.

The Magistrate Judge is available to conduct any or all proceedings in a jury or non-jury civil matter and to order the entry of judgment in the case pursuant to 28 U.S.C. § 636(c). Attached hereto is a Notice of Right to Consent to Disposition of a Civil Case by a United States Magistrate Judge, together with a consent form, for consideration by the parties. **The parties are encouraged to consider and act favorably on such consents; however, it is emphasized that there will be no substantive adverse consequences should the parties elect not to do so.** Counsel are directed to discuss this option with their clients **prior** to the submission of the proposed Case Management Order to the Court.

Following submission of the proposed Case Management Order, the Court will enter a Case Management Order in accordance with Fed.R.Civ.P. 16(b). A preliminary pretrial conference will not be scheduled unless requested by the parties or deemed necessary by the Court.

**SO ORDERED.**

DATED: Buffalo, New York  
May 17, 2019

**S/ H. Kenneth Schroeder, Jr.**  
**H. KENNETH SCHROEDER, JR.**  
**United States Magistrate Judge**